

MILAGROS AUJERO

JULY 4 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1913]

The Committee on the Judiciary, to which was referred the bill (H. R. 1913) for the relief of Milagros Aujero, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Milagros Aujero. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 30-year-old native and citizen of the Philippine Islands who last entered the United States as a visitor on October 11, 1950, in the employ of Mr. and Mrs. Roy Farrell, who are United States citizens. She is presently employed by the Farrells in Vernon, Tex. Mr. Farrell states that she is indispensable to him inasmuch as he and his wife must do considerable traveling and need the beneficiary of the bill to take care of their children.

A letter dated October 4, 1951, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General, with reference to the case, reads as follows:

OCTOBER 4, 1951.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 1913) for the relief of Milagros Aujero, an alien.

The bill would provide that Milagros Aujero shall be considered to have been lawfully admitted to the United States for permanent residence as of the date of

its enactment upon payment of the required visa fee and head tax. It would further direct the Secretary of State to instruct the quota-control officer to deduct one number from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that Mrs. Milagros Labareon Aujero, a citizen of the Philippine Islands, was born on June 19, 1919, at Duenas Iloilo Philippine Islands. She last entered the United States on October 11, 1950, at Honolulu, T. H., at which time she was admitted as a temporary visitor pursuant to section 3 (2) of the Immigration Act of 1924. She was granted extensions of her temporary stay until May 8, 1951. The alien had previously resided in the United States as a temporary visitor from July 8, 1949, until June 1950.

The files further reflect that the alien was married in the Philippine Islands in 1939 to Thomas Gica, also a citizen of the Philippine Islands. It appears that her husband was killed by the Japanese during the occupation of the Philippine Islands, and that she was unemployed during that period. Subsequently, in 1949, she was employed as a domestic by Mr. and Mrs. Roy Farrell, of the United States, who were at that time residing in the Philippine Islands. Mrs. Aujero accompanied Mr. and Mrs. Farrell to the United States in July 1949, and was employed by them until June 1950, when she returned to her native land. She is presently employed by the Farrells in Vernon, Tex., receiving a salary of \$60 a month, plus room and board. The record indicates that as a result of the alien's marriage, she has one child, born in 1940, in the Philippine Islands, who is now residing with the alien's sister in that country.

The quota for the Philippine Islands, to which the alien is chargeable, is over-subscribed and a quota immigration visa is not readily obtainable. The records present no facts, however, which would justify the enactment of special legislation granting her an exemption from the requirements of the general immigration laws. The enactment of special legislation under the circumstances would undoubtedly encourage others in whose cases immigration visas are not readily obtainable to enter this country as visitors and thereafter seek to have their status adjusted to that of permanent residence in similar manner.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

Congressman Frank Ikard, who succeeded Congressman Ed Gossett, the author of the bill, in Congress appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and submitted the following affidavits in connection with the bill:

AFFIDAVIT

Roy Farrell, of legal age, married and a resident of Santurce, P. R., after being duly sworn, deposes and says:

That Miss Milagros Aujero is a Filipino citizen, 30 years old, born in Iloilo City, Philippine Islands, on June 19, 1919, and is in possession of Republic of the Philippines passport No. 12016 which was issued on July 8, 1949, and expires on July 8, 1951. Her passport is visaed for stay in the United States until May 8, 1951. Miss Aujero was married in Pampanga, Philippine Islands, in 1939 and her husband was killed in the defense of Clark Field in December of 1941 or the early part of 1942;

That Miss Aujero went to work for my wife, Kay Martindale Farrell, and me in Manila, Philippine Islands, in the early part of 1949, as a nurse for our son, Robert Farrell. When we returned to the United States in July of 1949 Miss Aujero accompanied us and remained with us until July 1950 when it was necessary for her to return to the Philippine Islands because her visa was expiring and it was impossible to get another extension. Shortly before Miss Aujero returned to the Philippines we had a second child, Katherine Elizabeth;

That on a annual business trip to the Orient this last fall I was able to get a new visa for Miss Aujero to return to the United States. She now has been back with my family since about the 21st of October;

That my wife and I have come to feel that Miss Aujero is almost indispensable to us for in the 2 years she has been with us we have found that she is a person who is thoroughly competent in assuming all or part of all the duties in running our household and taking care of our children;

That due to my business activities being scattered out over a wide area with interests and offices in Sydney, Australia; Manila, Philippine Islands; British Crown Colony of Victoria, Hong Kong, Vernon, Tex.; New York, and San Juan, P. R., it is necessary for me to be gone from home over half of the time. This I could not feel justified in doing if Miss Aujero were not with us;

That in addition, it is necessary for my wife to make periodic trips to market in Chicago, New York, etc., to assist in buying for our department store in Vernon, Tex. This essential part of our business probably would have to be eliminated if we did not have Miss Aujero to look after and take care of our children in our absence, for when Miss Aujero is with our children we have the utmost confidence that they will be looked after properly and their health and welfare guarded in every respect. My wife and I do not believe we could find another person in whom we could place this trust and confidence.

San Juan, P. R., January 12, 1951.

ROY FARRELL.

Affidavit No. 2096.

Sworn and subscribed to this 12th day of January 1951, by Roy Farrell, of the personal circumstances described above, before me at San Juan, P. R.

[SEAL]

Notary Public.

THE STATE OF TEXAS,
County of Wilbarger:

Before me, the undersigned notary public, in and for Wilbarger County, Tex., on this day personally appeared Roy Farrell, who, after having been by me first duly sworn, upon his oath, deposes and says:

"That on and prior to December 7, 1941, the husband of Milagros Aujero was working for the Quartermaster Corps of the United States Armed Forces in Clark Field, Philippine Islands, as a civilian employee.

"That when the Japanese attacked Clark Field all or practically all of the Filipino civilian employees joined with the United States Armed Forces in the defense of Clark Field, and upon the loss to the Japanese of Clark Field these civilian employees moved on to Bataan with the United States Armed Forces as codefenders.

"That the husband of Milagros Aujero was killed in the initial defense of Clark Field while fighting in conjunction with the United States Armed Forces."

ROY FARRELL.

Subscribed and sworn to before me by the said Roy Farrell, this the 14th day of May A. D. 1952.

[SEAL]

AMELIA L. WHITE,

Notary Public in and for Wilbarger County, Tex.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1913) should be enacted.

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